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Appendix B - Green Belt Assessment

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**7.01 PLANNING STATEMENT APPENDIX B -
GREEN BELT ASSESSMENT**

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Contents

	Page
B1 Introduction	1
B2 Green Belt Policy Context	4
B2.1 National Planning Policy Framework	4
B2.2 Airports National Policy Statement	4
B2.3 Luton Local Plan 2011-2031 (November 2017)	5
B2.4 Luton Green Belt Study 2014	5
B2.5 North Hertfordshire District Council Local Plan 2011 – 2031 (November 2022)	6
B2.6 North Hertfordshire Green Belt Review 2016	6
B2.7 Central Bedfordshire Council Local Plan 2015 -2035	7
B2.8 Central Bedfordshire and Luton Green Belt Study 2016	7
B3 Proposed works in the Luton Green Belt	9
B3.1 Surface Movement Radar	9
B4 Proposed works in the North Hertfordshire Green Belt	14
B4.1 Fuel pipeline and associated works	14
B4.2 Infiltration Basin	16
B5 Proposed works in the Central Bedfordshire Green Belt	17
B5.1 A1081 New Airport Way / B653 / Gipsy Lane Junction Improvements	17
B6 Conclusions	18
Glossary and Abbreviations	20
References	21

Tables

Table B1.1 Proposed Green Belt Works

Table B2.1 Summary from Luton Green Belt Study 2014

Table B2.2 Extract from North Hertfordshire Green Belt Review 2016

Table B2.3 Extract from the Central Bedfordshire and Luton Green Belt Study 2016

Table B6.1 Green Belt Works Summary

Figures

Figure B1.1 Proposed Green Belt Works

Figure B3.1 Proposed Green Belt Works

Figure B3.2 SMR options

Figure B3.3 Approved radar system at Liverpool John Lennon Airport

Figure B4.1 AGI at Tixover, Rutland

Appendix B

B1 Introduction

- B1.1.1 This Green Belt Assessment has been prepared to support the application for development consent and considers the impact of the Proposed Development on the Green Belt, having regard to relevant national and local planning policy and guidance.
- B1.1.2 As set out in **Section 5.25** of the **Design and Access Statement (DAS) [TR020001/APP/7.03]** the layout of the Proposed Development has been designed to avoid encroaching on the Green Belt except where absolutely necessary.
- B1.1.3 However, there are some elements of the Proposed Development which need to be located within the Green Belt for operational or practical reasons as listed in **Table B1.1** and shown in **Figure B1.1** below:

Table B1.1 Proposed Green Belt Works

Green Belt Works	Local Authority
Surface Movement Radar	Luton Borough Council
Fuel pipeline and associated works	North Hertfordshire District Council
Infiltration basin	North Hertfordshire District Council
A1081 New Airport Way / B653 / Gipsy Lane Junction Improvements	Central Bedfordshire Council

Figure B1.1 Proposed Green Belt Works



- B1.1.4 This Green Belt Assessment considers each of these elements and whether they constitute inappropriate development in the Green Belt.
- B1.1.5 For those elements constituting inappropriate development, an assessment is made of whether very special circumstances exist, whereby the benefits clearly outweigh the harm to the Green Belt.
- B1.1.6 It is noted that the Proposed Development also includes the change of use of agricultural land to Country Park with associated landscaping. However, there are no physical works associated with this which constitute development and, therefore, this Green Belt Assessment does not consider this element of the Proposed Development further.
- B1.1.7 This Green Belt Assessment is structured as follows:
- a. Section B2 provides an overview of national and local Green Belt policy and a summary of the relevant elements of existing Green Belt studies.
 - b. Section B3 – provides an assessment of the proposed works within the Green Belt in Luton.
 - c. Section B4 – provides an assessment of the proposed works within the Green Belt in North Hertfordshire.
 - d. Section B5 – provides an assessment of the proposed works within the Green Belt in Central Bedfordshire.
 - e. Section B6 – provides the conclusions of the Green Belt Assessment.

B2 Green Belt Policy Context

B2.1 National Planning Policy Framework

- B2.1.1 Paragraph 137 of the National Planning Policy Framework (NPPF, Ref. 2.1) sets out that the Government attaches great importance to Green Belts and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- B2.1.2 Paragraph 138 states that the Green Belt serves five purposes:
- B2.1.3 to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment;
- B2.1.4 to preserve the setting and special character of historic towns; and
- B2.1.5 to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- B2.1.6 Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- B2.1.7 Paragraph 148 sets out that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposed development, is clearly outweighed by other considerations.
- B2.1.8 Paragraph 150 sets out that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These can include engineering operations and local transport improvements.

B2.2 Airports National Policy Statement

- B2.2.1 Paragraphs 5.106 to 5.127 set out the Airports National Policy Statement (ANPS, Ref. 2.2) approach to airport development in the Green Belt and echoes the NPPF's presumption against inappropriate development and the need for

applicants to demonstrate very special circumstances in which the benefits of the proposal clearly outweigh harm to the Green Belt.

B2.3 Luton Local Plan 2011-2031 (November 2017)

B2.3.1 Policy LLP4 of the Luton Local Plan (Ref. 2.3) states that inappropriate development within the Green Belt will only be permitted in very special circumstances.

B2.4 Luton Green Belt Study 2014

B2.4.1 The Luton Green Belt Study (2014, Ref. 2.4) was prepared by David Hares Landscape Architecture as part of the evidence base for the Luton Local Plan. This study subdivides the areas of Green Belt within Luton Borough into parcels and considers the contribution each of these makes to the purposes of the Green Belt set out in the NPPF.

B2.4.2 The analysis of the parcel of Green Belt relevant to this Assessment against the NPPF purposes of the Green Belt set out in the Green Belt Study is replicated in **Table B2.1** below.

Table B2.1 Summary from Luton Green Belt Study 2014

Green Belt Purpose	Assessment	Notes
Restricting sprawl	High	None
Preventing towns merging	Low	Some distance to adjoining town, no immediate threat
Safeguarding countryside from encroachment	Medium	Countryside subject to AGLV designation, but not 'high value' and multifunctional.
Preserve setting of historic settlement	Not applicable	Not applicable

Green Belt Purpose	Assessment	Notes
Restricting sprawl	High	None
Preventing towns merging	Low	Some distance to adjoining town, no immediate threat
Safeguarding countryside from encroachment	Medium	Countryside subject to AGLV designation, but not 'high value' and multifunctional.
Preserve setting of historic settlement	Not applicable	Not applicable
Overall level of contribution to meeting Green Belt criteria	Medium	None

B2.4.3 The Study concludes that this parcel:

“makes a medium contribution to Green Belt purposes and meets the criteria for designation as Green Belt. It is open and contiguous with a much larger area of rural Green Belt land in adjoining local authorities. The airport perimeter fence represents a permanent well defined Green Belt boundary. Both units of land within Luton Borough fit well with the neighbouring parcels of Green Belt land. There are no development proposals for adjoining areas of Green Belt in North Hertfordshire District and Central Bedfordshire District. This small area of Green Belt, together with the adjoining Green Belt land performs the purpose of checking urban sprawl and assisting in safeguarding the countryside from encroachment.”

B2.5 North Hertfordshire District Council Local Plan 2011 – 2031 (November 2022)

B2.5.1 Policy SP5 of the NHDC Local Plan (Ref. 2.5) states that development proposals will only be permitted in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated.

B2.6 North Hertfordshire Green Belt Review 2016

B2.6.1 The North Hertfordshire Green Belt Review (2016, Ref. 2.6) formed part of the evidence base for the North Hertfordshire Local Plan. This Review subdivides the areas of Green Belt within North Hertfordshire into parcels and considers

the contribution each of these makes to the purposes of the Green Belt set out in the NPPF.

B2.6.2 The parcel of Green Belt relevant to this Assessment is referred to as Parcel 2h and the analysis of this parcel against the NPPF purposes of the Green Belt is shown in Table B2.2 below.

Table B2.2 Extract from North Hertfordshire Green Belt Review 2016

Green Belt Purpose	Assessment	Notes
Restricting sprawl	Significant contribution	Parcel is important in containing the sprawl of Luton and the airport development
Preventing towns merging	Limited contribution	Plays no role in preventing merger of neighbouring towns
Safeguarding countryside from encroachment	Moderate contribution	Prevents encroachment into the accessible countryside
Preserve setting of historic settlement	Limited contribution	No relationship with historic towns
Overall level of contribution to meeting Green Belt criteria	Moderate contribution	Supports the wider Green Belt in this location

B2.6.3 The Study concludes that overall this parcel makes a moderate contribution to the purposes of the Green Belt.

B2.7 Central Bedfordshire Council Local Plan 2015 -2035

B2.7.1 Policy SP4 of the Central Bedfordshire Council Local Plan (Ref. 2.7) states that within the Green Belt there is a general presumption against inappropriate development. Development proposals within the Green Belt will be assessed in accordance with government guidance contained in the NPPF and NPPG.

B2.8 Central Bedfordshire and Luton Green Belt Study 2016

B2.8.1 The Central Bedfordshire and Luton Green Belt Study (Ref. 2.8) was prepared by LUC in 2016 and formed part of the evidence base for the Central Bedfordshire Local Plan. This Study subdivides the areas of Green Belt within

Central Bedfordshire into parcels and considers the contribution each of these makes to the purposes of the Green Belt set out in the NPPF.

B2.8.2 The parcel of Green Belt relevant to this Assessment covers a wider area to the southwest of the airport referred to as L5 and the analysis of this parcel against the NPPF purposes of the Green Belt is shown in **Table B2.3** below.

Table B2.3 Extract from the Central Bedfordshire and Luton Green Belt Study 2016

Green Belt Purpose	Assessment
Restricting sprawl	Strong contribution
Preventing towns merging	Relatively strong contribution
Safeguarding countryside from encroachment	Relatively strong contribution
Preserve setting of historic settlement	Strong contribution

B3 Proposed works in the Luton Green Belt

B3.1 Surface Movement Radar

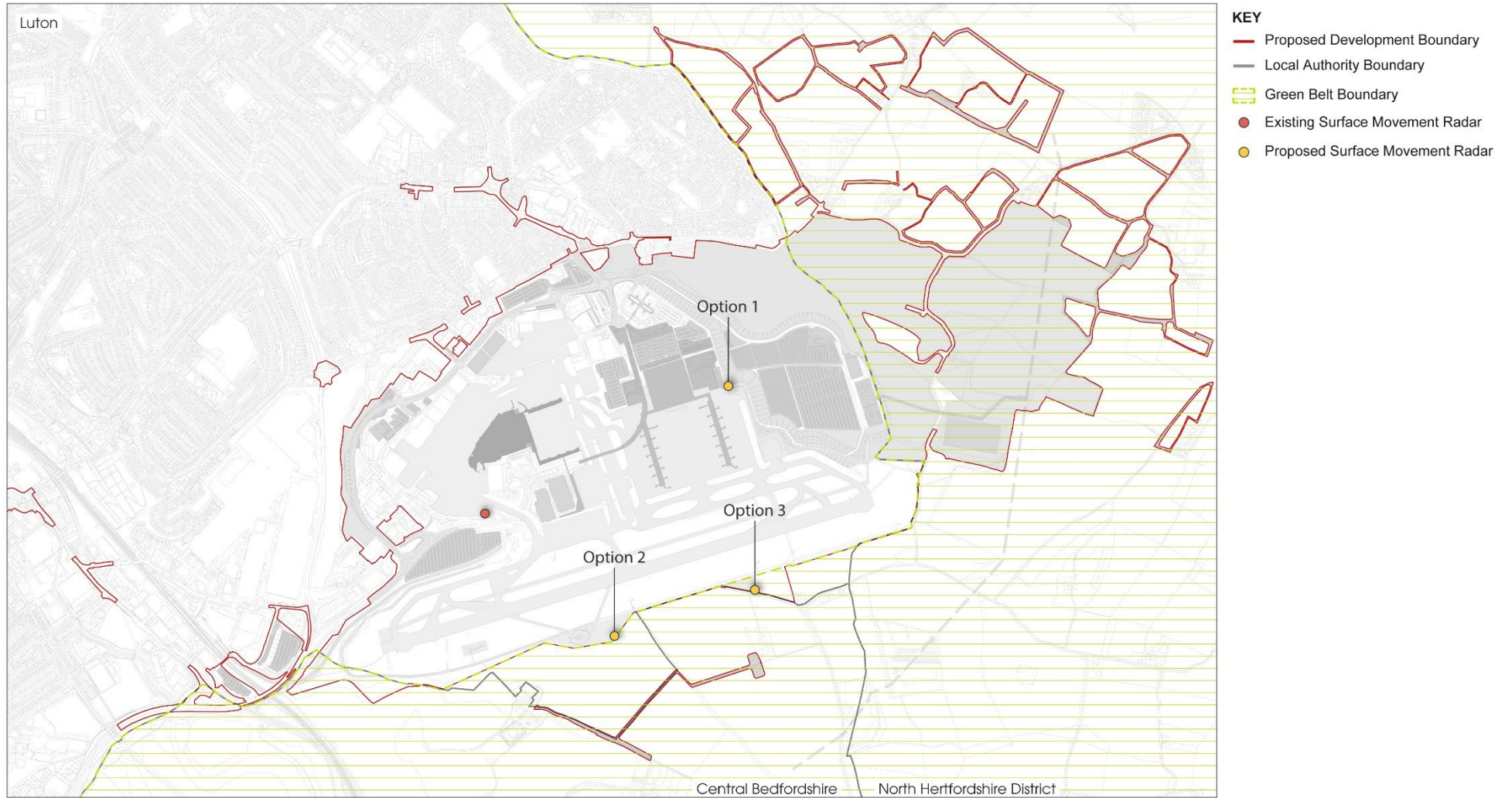
- B3.1.1 A Surface Movement Radar (SMR) (a radar which detects aircraft manoeuvring on the airfield to ensure safety at nighttime and in periods of low visibility or fog) (Work No. 2b 02) is proposed to be located south of the runway in an area of land outside the existing perimeter fence and within the Green Belt as indicated in **Figure B3.1**.
- B3.1.2 The SMR would be positioned on a steel lattice support tower measuring approximately 13m in height and a footprint of approximately 4m². It would be surmounted by a red construction light and an access track would be constructed from the existing airport perimeter road, outside the existing perimeter fence, to provide access for regular (weekly) checks and ad hoc maintenance. The track would likely have an asphalt surface, be approximately 4m wide and 80m in length, in addition to a turning area at its southern end.
- B3.1.3 New fencing (similar to the existing airport perimeter fencing) would be required to form a peninsula around the SMR tower and access track for security purposes.
- B3.1.4 The proposed SMR and associated fencing constitute inappropriate development in the Green Belt and should not be approved except in very special circumstances whereby the harm to the Green Belt is clearly outweighed by other considerations in accordance with NPPF paragraph 148 and Luton Local Plan Policy LLP4.
- B3.1.5 The proposed SMR is required to supplement the existing c.25m high SMR (see **Figure B3.1**) and to ensure the provision of adequate radar coverage for the Proposed Development which is essential for airport safety. In accordance with International Civil Aviation Organization (ICAO) regulations, the runway and surrounding area (known as the runway strip) must be kept clear of obstacles to reduce the risk to aircraft in the event of a 'runway excursion' whereby the aircraft skids off the runway. Regulations also restrict how tall structures can be depending on their proximity to the runway, meaning that the potential sites on the airfield for the SMR are very limited.

Figure B3.1 Proposed Green Belt Works



B3.1.6 The radar requires an unobstructed 'sightline' which is not cluttered with buildings or structures in order to function. There were three possible locations for the SMR, all of which were thoroughly considered as part of the development design process. Option 1 lay to the north of the runway, whilst Options 2 and 3 lay to the south. **Figure B3.2** shows the locations of the three options.

Figure B3.2 SMR options



- B3.1.7 Options 1 and 2 are not within the Green Belt, however neither of them enable sufficient coverage of the Proposed Development, large areas of which would not be visible. Therefore, Options 1 and 2 were not functionally viable. Option 3 is the only feasible option as it provides the highest coverage of the Proposed Development, with very limited areas which would be obstructed. Its precise location was selected to minimise the impact on the openness of the Green Belt, being placed as close as possible to the Green Belt boundary, whilst maintaining operational requirements. **Section 5.23** of the **DAS [TR020001/APP/7.03]** illustrates the coverage of the proposed SMR from Option 3.
- B3.1.8 The proposed SMR and associated fencing would be seen in the context of, and as part of the existing airport. Furthermore, the SMR support tower and fencing would be open structures (as opposed to buildings which present solid massing). The proposed SMR would also generate a very low degree of activity with only ad hoc maintenance visits. Accordingly, it is considered that the harm to the visual openness of the Green Belt, and its essential characteristics more generally would be limited.
- B3.1.9 Having regard to the essential requirement for the SMR for airport safety and that there are no other sites available outside the Green Belt that would provide adequate coverage across the airfield, while also complying with the ICAO regulations, these considerations clearly outweigh the negligible harm to the Green Belt and very special circumstances exist.
- B3.1.10 While each case must be considered on its own merits, it is noted that similar equipment, essential to aviation safety has been permitted within the Green Belt (or Metropolitan Open Land) at other airports on the basis that very special circumstances existed. Specifically, a 45-metre high tower with equipment for air traffic control; navigation and telecommunication purposes was approved at Heathrow Airport in August 2020 (London Borough of Hounslow ref. P/2020/2026). A radar system was approved at Liverpool John Lennon Airport in June 2006 (Liverpool City Council ref. 06F/1097), see **Figure B3.3** below.

Figure B3.3 Approved radar system at Liverpool John Lennon Airport



B4 Proposed works in the North Hertfordshire Green Belt

B4.1 Fuel pipeline and associated works

- B4.1.1 A new fuel pipeline (Work No. 4c (02)) is proposed to connect the new fuel storage facility with the existing FINA pipeline which conveys various types of hydrocarbon based fuels from Immingham to Buncefield. The new fuel pipeline is proposed because existing airport requires, on average, 1,365m³ of fuel a day, equating to approximately 76 daily road tanker movements to and from the storage facilities. To meet the proposed 32 mppa capacity, an additional 58 daily road tanker movements would be required. The proposed new fuel storage facility and connection to the existing pipeline would significantly reduce delivery by road vehicles, along with the associated negative environmental impacts, relating to greenhouse gas emissions, air quality, noise, and traffic congestion.
- B4.1.2 The existing pipeline is located within Green Belt to the east of the airport. The new pipeline would run for approximately 700m and would likely be laid using cut and cover although the exact construction method would depend on the final required profile. Once constructed, land above the buried pipeline would be reinstated to its former condition.
- B4.1.3 Trenchless construction of the pipeline was considered; however, this method was not considered accurate enough, which is essential for the nature of the pipes. Trenchless construction also requires large excavation of land at each end of a section of straight pipe for launch and reception pits.
- B4.1.4 The eastern section of the proposed fuel pipeline would be within the Green Belt. It is an engineering operation which, due to its subterranean nature, would preserve the openness of the Green Belt and not conflict with the purposes of including land within it. Accordingly, it is considered to be not inappropriate development in the Green Belt having regard to NPPF paragraph 150(b). Therefore, very special circumstances do not need to be demonstrated for this element.
- B4.1.5 An Above Ground Installation (AGI) is required at the connection point with the existing fuel pipeline (see **Figure B4.1**) to house custody transfer meters, filters, sample points, densitometers and pressure and temperature instruments. This AGI is proposed to be located within the corner of an existing field with existing woodland blocks immediately to the east and south. The AGI comprises approximately 460m² of hardstanding with various connecting pipes and valves being located above ground, typically at a height of approximately 1.1m for maintenance and operational purposes although some equipment would be up to 4.2m in height. The AGI would be surrounded by a 2.8m high fence for security purposes and would include CCTV and lighting, although any lighting

would only be activated when required for maintenance purposes. An image of a similar AGI at Tixover, Rutland is provided at **Figure B4.1** for context.

Figure B4.1 AGI at Tixover, Rutland



- B4.1.6 The proposed AGI is within the Green Belt and is considered to be inappropriate development. Therefore, very special circumstances need to be demonstrated for this element in accordance with NPPF paragraph 148 and Policy SP5 of the NHDC Local Plan.
- B4.1.7 The proposed AGI must be sited at the point of connection to the existing fuel pipeline which is located in the Green Belt and therefore, by necessity, the AGI would also be within the Green Belt. Various location options for the AGI were considered along the route of the existing pipeline. The proposed location (see **Drawing LLADCO-3C-ACM-AIR-FFE-DR-CE-0005**) was selected due to:
- a. its proximity to the airport (thus minimising the length of new pipeline);
 - b. the new pipeline and the AGI sit outside the public safety zone; the AGI being sited within land owned by the Applicant;
 - c. the pipeline and the AGI do not intersect the extended runway centreline; and
 - d. the relatively discreet location of the AGI within the corner of a field, screened by existing woodland blocks to the south and east and with limited visibility from the local highway and footpaths.
- B4.1.8 The AGI and associated fencing would be open structures (as opposed to buildings which present solid massing). The AGI would also generate a very low

degree of activity with only ad hoc maintenance visits. Accordingly, it is considered that the harm to the visual openness of the Green Belt, and its essential characteristics more generally would be limited.

- B4.1.9 The significant reduction in environmental impacts, relating to greenhouse gas emissions, air quality, noise, and traffic congestion associated with reducing road vehicle movements which would be secured by connecting into the existing pipeline, clearly outweighs this limited harm to the Green Belt and very special circumstances exist.
- B4.1.10 A new single access track approximately 420m in length is proposed from the local road network to the AGI for maintenance purposes. The proposed access track is local transport infrastructure which has to be located within the Green Belt because it serves the AGI. It would be constructed at grade and would appear similar to other agricultural access tracks, used only by ad hoc maintenance vehicles. It would preserve the openness of the Green Belt and not conflict with the purposes of including land within it. Accordingly, it is considered to be not inappropriate development in the Green Belt having regard to NPPF paragraph 150(c). Therefore, very special circumstances do not need to be demonstrated for this element.

B4.2 Infiltration Basin

- B4.2.1 The drainage design and changes to the current surface water regime are described in the Drainage Design Statement (DDS) provided as **Appendix 20.4** of the ES [TR020001/APP/5.02]. The drainage design for the Proposed Development has applied a hierarchical approach that promotes a sustainable approach and includes the use of infiltration basins (underground tanks which surface water runoff will be directed into). Open water systems (such as ponds) have not been used due to space constraints and potential risk of bird strike.
- B4.2.2 Infiltration Basin 2 (Work 5c in the **Drawing LLADCO-3C-ACM-AIR-FFE-DR-CE-0005**) is proposed to be located underground to the southeast of the airport, within the Green Belt. It would comprise a 75,000m³ tank and would contain uncontaminated surface water discharged from the airside and landside areas. The location of this infiltration basin has been driven by topography and geology requirements. Following construction of the infiltration basin, the landscape would be restored to reinstate the existing shape of the valley.
- B4.2.3 The infiltration basin is an engineering operation which, due to its subterranean nature, would preserve the openness of the Green Belt and not conflict with the purposes of including land within it. Accordingly, it is considered to be not inappropriate development in the Green Belt having regard to NPPF paragraph 150(b). Therefore, very special circumstances do not need to be demonstrated for this element.

B5 Proposed works in the Central Bedfordshire Green Belt

B5.1 A1081 New Airport Way / B653 / Gipsy Lane Junction Improvements

- B5.1.1 Off-site highway works are proposed to improve the A1081 New Airport Way / B653 / Gipsy Lane Junction (Work No. 6e(b)). The improvements to the junction comprise minor widening and realignment as shown in **Drawing LLADCO-3C-ARP-SFA-HWM-DR-CE-0005**. These works are partially within the Green Belt.
- B5.1.2 Paragraph 150(c) of the NPPF (Ref. 2.1) sets out that local transport infrastructure which can demonstrate a requirement for a Green Belt location are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
- B5.1.3 These proposed highway works are required in this location to provide additional traffic capacity for airport related expansion. The works are entirely within the existing highway boundary and are minor in nature. It is considered that they would not have any impact on the openness of the Green Belt, nor would they conflict with the purposes of including this land within the Green Belt.
- B5.1.4 Accordingly, these works are not inappropriate in the Green Belt and there is no requirement to demonstrate whether very special circumstances exist.

B6 Conclusions

B6.1.1 This Green Belt Assessment considers each element of the Proposed Development which is to be located within the Green Belt and whether they constitute inappropriate development in the Green Belt as set out in **Table B6.1** below:

Table B6.1 Green Belt Works Summary

Green Belt Works	Local Authority	Inappropriate / Not Inappropriate Development
Surface Movement Radar	Luton Borough Council	Inappropriate
Fuel pipeline and associated works	North Hertfordshire District Council	Above Ground Installation is inappropriate. Fuel pipeline and access track are not inappropriate.
Infiltration basin	North Hertfordshire District Council	Not inappropriate
Temporary earthworks	North Hertfordshire District Council	Not inappropriate
A1081 New Airport Way / B653 / Gipsy Lane Junction Improvements	Central Bedfordshire Council	Not inappropriate

B6.1.2 There are two elements constituting inappropriate development, the proposed SMR to the south of the airport and the AGI to the east of the airport.

B6.1.3 In both of these cases, it has been demonstrated that the identified harm to the Green Belt that would result from these elements is clearly outweighed by the benefits they would deliver and that very special circumstances exist, in

accordance with the NPPF (Ref. 2.1) and the relevant Green Belt policies within the respective development plan documents (Refs. 2.3, 2.5 and 2.7).

- B6.1.4 All other elements of the Proposed Development in the Green Belt are not inappropriate and therefore, comply with the relevant Green Belt policies within the respective development plan documents.

GLOSSARY AND ABBREVIATIONS

Term	Definition
AGI	Above Ground Installation
AGLV	Area of Great Landscape Value
ANPS	Airports National Policy Statement
CCTV	Closed-Circuit Television
DAS	Design and Access Statement
DDS	Drainage Design Statement
NHDC	North Hertfordshire District Council
ICAO	International Civil Aviation Organization
NPPF	National Planning Policy Framework
SMR	Surface Movement Radar

REFERENCES

- Ref 2.1 Ministry of Housing, Communities & Local Government. (2021) National Planning Policy Framework. London: the Stationery Office.
- Ref 2.2 Department for Transport. (2018) The Airports National Policy Statement. London: the Stationery Office.
- Ref 2.3 Luton Borough Council. (2017) Luton Local Plan 2011-2031.
- Ref 2.4 David Hares Landscape Architecture (2014) Luton Green Belt Study.
- Ref 2.5 North Hertfordshire District Council (2016). Local Plan 2011-2031.
- Ref 2.6 North Hertfordshire District Council (2016). North Hertfordshire Green Belt Review.
- Ref 2.7 Central Bedfordshire Council (2021) Central Bedfordshire Local Plan (2015-2035), Adopted July 2021
- Ref 2.8 LUC (2016) Central Bedfordshire and Luton Green Belt Study.